

EXHIBIT 16

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

Case No. 7:17-cv-08943

3 - - - - -x

4 NATIONAL ASSOCIATION FOR THE
5 ADVANCEMENT OF COLORED PEOPLE, SPRING
6 VALLEY BRANCH; JULIO CLERVEAUX; CHEVON
7 DOS REIS; ERIC GOODWIN; JOSE VITELIO
8 GREGORIO; DOROTHY MILLER; HILLARY
9 MOREAU; and WASHINGTON SANCHEZ,

Plaintiffs,

-against-

10 EAST RAMAPO CENTRAL SCHOOL DISTRICT and
11 MARYELLEN ELIA, IN HER CAPACITY AS THE
12 COMMISSIONER OF EDUCATION OF THE STATE
13 OF NEW YORK,

Defendants.

14 - - - - -x

November 8, 2018
9:14 a.m.

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16
17 Deposition of EUSTACHE CLERVEAUX, taken
18 by attorneys for Defendant East Ramapo Central
19 School District. pursuant to subpoena, held at
20 the offices of Morgan Lewis & Bockius LLP, 101
21 Park Avenue, New York, New York, before Helen
22 Mitchell, a Registered Professional Reporter and
23 Notary Public.
24
25

1 E U S T A C H E C L E R V E A U X,
2 having been first duly sworn by the Notary
3 Public (Helen Mitchell), was examined and
4 testified as follows:

5 EXAMINATION

6 BY MS. KOLLM:

7 Q Good morning.

8 A Good morning.

9 Q My name is Clara Kollm, and I'm
10 here representing the East Ramapo Central School
11 District.

12 Can you please state your full
13 name for the record?

14 A Eustache Clerveaux.

15 Q Do you understand that you're
16 here today pursuant to a subpoena?

17 A Yes.

18 Q Do you understand that the case
19 caption in this case is the NAACP of Spring
20 Valley versus East Ramapo Central School
21 District?

22 A Yes.

23 Q On what date did you first
24 learn that you were asked to sit for a
25 deposition?

1 you reviewed?

2 A Anything that my attorney gave
3 me, but I don't recall specifically.

4 Q Did you review testimony from
5 more than one witness?

6 MS. CALABRESE: I'm going to
7 object on privilege grounds.

8 Q Is your brother Julio
9 Clerveaux? Am I saying his name right?

10 A Julio.

11 Q Julio. Is that your brother?

12 A Yes.

13 Q Are you aware that Julio gave
14 testimony in this case?

15 A Yes.

16 Q Did you review Julio's
17 deposition testimony to prepare for today?

18 MS. CALABRESE: Again, I'm
19 going to object on privilege grounds.

20 Q Did you read the deposition
21 testimony transcript from Julio's deposition to
22 prepare for today?

23 MS. CALABRESE: Again, I'm
24 going to object on privilege grounds.

25 MS. KOLLM: Whether or not he

1 the form of the question.

2 A What do you mean "whose seat"?

3 Q Did you run to replace a
4 particular individual on the board?

5 A I don't recall.

6 Q Who was your opponent in the
7 2013 school board election?

8 A I don't recall his name, but if
9 I see his name I'll remember.

10 Q Do you remember the race of
11 your opponent?

12 A Yes.

13 Q What was that?

14 A He was Haitian American.

15 Q At the time you ran for school
16 board in 2013, did you believe that you could
17 have been an effective member of the school
18 board?

19 MS. CALABRESE: Objection to
20 the form of the question.

21 A I believe I will be.

22 Q Are you running for school
23 board again?

24 A I don't know what's going to
25 happen in the future.

1 asked question.

2 Q Do you have an example of a
3 question that wasn't being answered?

4 MS. CALABRESE: Objection to
5 the form of the question.

6 A I believe I answered the
7 question; I don't recall any question at this
8 time.

9 Q I'm sorry if you said this
10 already, but do you remember if one of your
11 questions was not answered by the board?

12 MS. CALABRESE: Objection to
13 the form of the question.

14 A I can't recall at this time.

15 Q Do you have any children?

16 A No.

17 Q In your 2013 campaign for
18 school board, did you run as part of a slate?

19 MS. CALABRESE: Objection to
20 the form of the question.

21 A What do you mean by "slate"?
22 I'm not sure what is a slate.

23 Q Were there other candidates for
24 school board at the same time with whom you
25 campaigned?

1 Germain Charles stating that they met with other
2 member in the community, that's what I know.

3 Q Does paragraph eight of your
4 declaration require any clarification?

5 A No, it does not.

6 Q In your own words, why do you
7 think you lost the school board election in
8 2013?

9 A Because I received less vote.

10 Q Do you believe you lost the
11 2013 election because of your race?

12 MS. CALABRESE: Objection to
13 the form of the question.

14 A I don't believe so.

15 Q For the record, can you please
16 identify your race and ethnicity?

17 A I'm Haitian American.

18 Q Are you registered to vote in
19 the district?

20 A Yes, I do.

21 Q Have you ever cast a vote for
22 school board elections?

23 A Yes, I have.

24 Q Did you get to vote for
25 yourself in 2013?

1 A I'm sorry, what was your
2 question?

3 Q What issues are important to
4 you when you consider a candidate for the 2019
5 school board?

6 MS. CALABRESE: Objection to
7 the form of the question.

8 A I would say there's no specific
9 issues, but as long as the issue is
10 candidates -- as long as the issues align with
11 my issues and what's best for all children in
12 the district, then I will vote for those
13 candidates.

14 Q You don't vote for a candidate
15 for school board based on their race; right?

16 A I'm a global citizen, so I
17 don't see race in my vote.

18 Q Is it important to you who
19 Power of Ten endorses for the 2019 school board?

20 A No, it does not.

21 Q Have you ever voted for a
22 candidate for school board who was not endorsed
23 by Power of Ten?

24 MS. CALABRESE: Objection to
25 the form of the question.

1 A Yeah. May or may not; it's
2 depends.

3 Q I understand.

4 A For improving the strategy I
5 was using.

6 Q Understood.

7 Do you have an opinion about
8 why you received fewer votes?

9 A No, I don't have any opinion.

10 Q You campaigned with Margaret
11 Tuck and Robert Forrest; right?

12 A That's correct.

13 Q Did you know Margaret Tuck or
14 Robert Forrest before you campaigned together?

15 A I don't remember when did I
16 meet them exactly, but they're a member of the
17 community. And when I show my interest running
18 for the school board, that's how, I would say,
19 our relationship getting stronger, because we
20 share the same value.

21 Q Were you introduced by Steve
22 White?

23 A When you say "introduced," what
24 do you mean?

25 Q Did Steve White have a role in

C E R T I F I C A T E

I, HELEN MITCHELL, a Registered
Professional Reporter and Notary Public, do
hereby certify:

I reported the proceedings in the
within-entitled matter, and that the within
transcript is a true record of such proceedings.

I further certify that I am not related, by
blood or marriage, to any of the parties in this
matter and that I am in no way interested in the
outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my
hand this 14th day of November, 2018.



HELEN MITCHELL, RPR

November 8, 2018

I N D E X

WITNESS	EXAMINATION BY	PAGE
EUSTACHE CLERVEAUX	Ms. Kollm	3

E X H I B I T S

FOR IDENTIFICATION	PAGE
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E. Clerveaux 1	Declaration of Eustache Clerveaux	27
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E. Clerveaux 2	Document headed "Official Results, Tuesday, May 21, Trustee Vote"	74
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REQUEST FOR RULING / DIRECTION NOT TO ANSWER

PAGE	LINE
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